

EXHIBIT “A”

Case Information

DC-21-08727 | ALIHALJI JONES vs. STANLEY BRADFORD, et al

Case Number	Court	Judicial Officer
DC-21-08727	101st District Court	WILLIAMS, STACI
File Date	Case Type	Case Status
07/06/2021	MOTOR VEHICLE ACCIDENT	OPEN

Party

PLAINTIFF

JONES, ALIHALJI

Address
13601 Preston Road
West Tower - Ste. 600 W
Dallas TX 75240

Active Attorneys ▼
Lead Attorney
ALEXANDER, JOSHUA W
Retained

DEFENDANT

BRADFORD, STANLEY

Address
3317 BARBWOOD
MEMPHIS TN 38118

Active Attorneys ▼
Lead Attorney
INGRAM, T. GLENN
Retained

DEFENDANT

SERVICE ONE TRANSPORT, INC.

Address
SERVING REGISTERED AGENT BUSINESS FILINGS INCORPORATED
2 NORTH JACKSON STREET STE 605
MONTGOMERY AL 36104

Active Attorneys ▼
Lead Attorney
INGRAM, T. GLENN
Retained

Events and Hearings

07/06/2021 NEW CASE FILED (OCA) - CIVIL

07/06/2021 ORIGINAL PETITION ▼

ORIGINAL PETITION

07/06/2021 ISSUE CITATION ▼

ISSUE CITATION: STANLEY BRADFORD

ISSUE CITATION: SERVICE ONE TRANSPORT, INC

07/09/2021 CITATION ▼

Unserved

Anticipated Server

ESERVE

Anticipated Method

Comment

STANLEY BRADFORD

07/09/2021 CITATION ▼

Unserved

Anticipated Server

ESERVE

Anticipated Method

Comment

SERVICE ONE TRANSPORT, INC

08/23/2021 ORIGINAL ANSWER - GENERAL DENIAL ▼

ORIGINAL ANSWER - STANLEY BRADFORD AND SERVICE ONE TRANSPORT, INS.

09/10/2021 DISMISSAL FOR WANT OF PROSECUTION ▼

101st Dismissal Letter - 2017

101st Dismissal Letter - 2017

101st Dismissal Letter - 2017

Judicial Officer

WILLIAMS, STACI

Hearing Time

9:00 AM

Financial

JONES, ALIHALJI				
Total Financial Assessment				\$308.00
Total Payments and Credits				\$308.00
7/8/2021	Transaction Assessment			\$308.00
7/8/2021	CREDIT CARD - TEXFILE (DC)	Receipt # 43376-2021-DCLK	JONES, ALIHALJI	(\$308.00)

Documents

ORIGINAL PETITION
ISSUE CITATION: STANLEY BRADFORD
ISSUE CITATION: SERVICE ONE TRANSPORT, INC
101st Dismissal Letter - 2017
101st Dismissal Letter - 2017
101st Dismissal Letter - 2017
ORIGINAL ANSWER - STANLEY BRADFORD AND SERVICE ONE TRANSPORT, INS.

DC-21-08727

CAUSE NO. _____

ALIHALJI JONES
Plaintiff

vs.

STANLEY BRADFORD and
SERVICE ONE TRANSPORT, INC.
Defendants§
§
§
§
§
§
§**IN THE DISTRICT COURT**
101st_____**JUDICIAL DISTRICT****DALLAS COUNTY, TEXAS****PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCOVERY****TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, ALIHALJI (a/k/a ALI-HALJI) JONES, hereinafter called "Plaintiff,"
complaining of and about **STANLEY BRADFORD** and **SERVICE ONE TRANSPORT, INC.**,
hereinafter called "Defendants," and for cause of action show unto the Court the following:

I. DISCOVERY CONTROL PLAN LEVEL

1. Plaintiff intends that discovery be conducted under Discovery Level III.

II. PARTIES AND SERVICE

2. Plaintiff, **ALIHALJI JONES**, is an Individual residing in Collin County, Texas.
The last three digits of his drivers license are 659.

3. Defendant, **STANLEY BRADFORD**, is an individual residing in Tennessee and
may be served at his residence at 3317 Barbwood, Memphis, Tennessee 38118 or wherever he
may be found.

4. Defendant **SERVICE ONE TRANSPORT, INC.** is an Alabama corporation and
its registered agent, BUSINESS FILINGS INCORPORATED, may be served at 2 North Jackson
Street, Suite 605 Montgomery, Alabama 36104 or wherever it may be found.

III. JURISDICTION AND VENUE

5. The subject matter in controversy is within the jurisdictional limits of this court.
6. This court has jurisdiction over the parties because Defendants were doing business

in, and operating a motor vehicle in, Dallas, Texas.

7. Venue in Dallas County is proper in this cause under Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in this county.

IV. FACTS

8. On or about September 1, 2020 westbound on IH-20 in Dallas County, Texas when Defendant driver **BRADFORD** fell asleep at the wheel and consequently failed to control his speed, failed to keep a lookout, and failed to timely apply his brakes - and rear-ended this Plaintiff at a high rate of speed. As a result of the collision, Plaintiff suffered serious bodily injuries.

V. PLAINTIFF'S CLAIM OF NEGLIGENCE AGAINST STANLEY BRADFORD

9. Defendant **BRADFORD** had a duty to exercise the degree of care that a person of ordinary prudence would use to avoid harm to others under circumstances similar to those described herein.

10. Plaintiff's injuries were proximately caused by Defendant's negligent, careless and reckless disregard of said duty.

11. The negligent, careless and reckless disregard of duty of Defendant consisted of, but is not limited to, the following acts and omissions:

- A. In that Defendant failed to keep a proper lookout for Plaintiff's safety that would have been maintained by a person of ordinary prudence under the same or similar circumstances;
- B. In that Defendant failed to yield as a person of prudent care would have done;
- C. In that Defendant failed to turn their motor vehicle in an effort to avoid the collision complained of;
- D. In that Defendant failed to operate a motor vehicle as a person using ordinary prudent care would have done;

- E. In that Defendant failed to maintain a clear and reasonable distance between Plaintiff's motor vehicle and Defendant's motor vehicle which would permit Defendant to bring their motor vehicle to a safe stop without colliding into Plaintiff's motor vehicle;
- F. In that Defendant failed to keep such distance away from Plaintiff's motor vehicle as a person using ordinary prudent care would have done;
- G. In that Defendant failed to apply their brakes to their motor vehicle in a timely and prudent manner and/or wholly failed to apply their brakes in order to avoid the collision in question.
- H. In that Defendant continued to operate his vehicle when he was impaired, by and through, sleep deprivation;

**VI. PLAINTIFF'S CLAIM OF NEGLIGENCE
AGAINST SERVICE ONE TRANSPORT, INC.**

12. Plaintiff alleges that at the time of the occurrence in question made the basis of this lawsuit which occurred on or about September 1, 2020, Defendant **BRADFORD** was operating that certain 2016 Freightliner tractor/trailer with the full permission, authority and consent of the owner of that vehicle, Defendant **SERVICE ONE TRANSPORT, INC.**, and Defendant **BRADFORD** was therefore a permissive user of that tractor/trailer at the time of the occurrence in question. Plaintiff alleges that Defendant **SERVICE ONE TRANSPORT, INC.** was negligent in entrusting that tractor/trailer to Defendant **BRADFORD** when they knew, or in the exercise of reasonable care should have known, that Defendant **BRADFORD** was a careless, reckless driver who should not be entrusted with the use of a motor vehicle on the roadways of the State of Texas - and Plaintiff alleges that such negligent entrustment was a proximate cause of the occurrence in question and the resulting injuries and damages sustained by Plaintiff.

13. Arguing further, Defendant **SERVICE ONE TRANSPORT, INC.** knew, or should have known that Defendant **BRADFORD** was sleep deprived when he was operating the referenced vehicle, due in direct part to the demands placed on **SERVICE ONE TRANSPORT,**

INC.'s drivers and failure to monitor same. This level of negligence is so outrageous and dangerous as to rise to the level of GROSS NEGLIGENCE.

14. Arguing further still, should same be necessary, Plaintiff alleges that at the time of the occurrence in question made the basis of this lawsuit Defendant **BRADFORD** was acting as the agent, employee and/or servant of Defendant **SERVICE ONE TRANSPORT, INC.**, such that under the doctrines of respondeat superior and/or agency, Defendant **SERVICE ONE TRANSPORT, INC.** is liable to Plaintiff for his injuries and resulting damages caused by the negligence of Defendant **BRADFORD**.

VI. DAMAGES FOR PLAINTIFF ALIHALJI JONES

15. Pursuant to Texas Rule of Civil Procedure 47(c), Plaintiff seeks monetary relief of more than \$250,000.00 but less than \$1,000,000.00, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and judgment for all other relief to which Plaintiff is justly entitled. Plaintiff expressly reserves the right to amend this Rule 47 statement of relief if necessary.

16. As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff, was caused to suffer serious bodily injuries, and to incur the following damages:

- A. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff, **JONES** for the necessary care and treatment of the injuries resulting from the accident and/or the aggravation of prior injuries and such charges are reasonable and were usual and customary charges for such services in Dallas County, Texas;
- B. Reasonable and necessary medical care and expenses which will in all reasonable probability be incurred in the future;
- C. Physical pain and suffering in the past;
- D. Physical pain and suffering in the future;
- E. Physical impairment in the past;
- F. Physical impairment in the future;

- G. Physical disfigurement in the past;
- H. Physical disfigurement in the future;
- I. Loss of earnings in the past;
- J. Loss of earning capacity which will, in all probability, be incurred in the future;
- K. Mental anguish in the past;
- L. Mental anguish in the future;
- M. Property damage, storage, towing and rental expenses; and,
- N. Punitive damages.

VII. DEMAND FOR TRIAL BY JURY

17. Plaintiff demands a jury trial and tenders the appropriate fee with this petition.

VIII. RULE 193.7 NOTICE

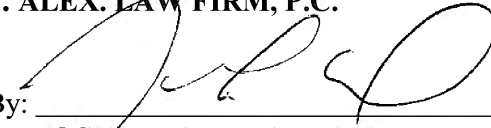
18. Plaintiff hereby gives actual notice to Defendant that any and all documents produced may be used against Defendant at any pre-trial proceeding and/or at trial of this matter without the necessity of authenticating the documents.

IX. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff **ALIHALJI JONES** respectfully prays that the Defendants, **STANLEY BRADFORD** and **SERVICE ONE TRANSPORT, INC.,** be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendants for damages in an amount within the jurisdictional limits of the Court; together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

J. ALEX. LAW FIRM, P.C.

By: 

JOSH W. ALEXANDER

Texas Bar No. 24086984

Email: josh@jalexlawfirm.com

KELSEY E. BRODOCK

Texas Bar No. 24086965

Email: kelsey@jalexlawfirm.com

DAVID W. TOWNEND

Texas Bar No. 20155700

Email: david@jalexlawfirm.com

ROBERT B. MOSS

Texas Bar No. 24113558

Email: robert@jalexlawfirm.com

13601 Preston Road

West Tower, Suite 600 W

Dallas, Texas 75240

Phone: (972) 535-5700

Fax: (844) 838-7440

ATTORNEYS FOR PLAINTIFF

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: STANLEY BRADFORD
3317 BARBWOOD
MEMPHIS TN 38118**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **101st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **ALIHALJI JONES**

Filed in said Court **6th day of July, 2021** against

STANLEY BRADFORD

For Suit, said suit being numbered **DC-21-08727**, the nature of which demand is as follows:
Suit on **MOTOR VEHICLE ACCIDENT** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.

Given under my hand and the Seal of said Court at office this 9th day of July, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By Deondria Grant, Deputy
DEONDRIA GRANT



ESERVE

CITATION

DC-21-08727

ALIHALJI JONES

vs.

STANLEY BRADFORD, et al

**ISSUED THIS
9th day of July, 2021**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: DEONDRIA GRANT, Deputy

**Attorney for Plaintiff
JOSHUA W ALEXANDER
J ALEX LAW FIRM PC
13601 PRESTON RD
STE 600 W
DALLAS TX 75240
972-535-5700
josh@jalexlawfirm.com**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**

OFFICER'S RETURN

Case No. : DC-21-08727

Court No.101st District Court

Style: ALIHALJI JONES

vs.

STANLEY BRADFORD, et al

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ M. Executed at _____, within the County of _____ at _____ o'clock _____ M. on the _____ day of _____, 20_____, by delivering to the within named _____

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ _____

For mileage \$ _____ of _____ County, _____

For Notary \$ _____ By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,

to certify which witness my hand and seal of office.

Notary Public _____ County _____

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: SERVICE ONE TRANSPORT, INC.
BY SERVING ITS REGISTERED AGENT BUSINESS FILINGS INCORPORATED
2 NORTH JACKSON STREET, SUITE 605
MONTGOMERY AL 36104**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **101st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **ALIHALJI JONES**

Filed in said Court **6th day of July, 2021** against

SERVICE ONE TRANSPORT, INC.

For Suit, said suit being numbered **DC-21-08727**, the nature of which demand is as follows:
Suit on **MOTOR VEHICLE ACCIDENT** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 9th day of July, 2021.
ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By Deondria Grant, Deputy
DEONDRIA GRANT



ESERVE

CITATION

DC-21-08727

ALIHALJI JONES

vs.

STANLEY BRADFORD, et al

**ISSUED THIS
9th day of July, 2021**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: DEONDRIA GRANT, Deputy

**Attorney for Plaintiff
JOSHUA W ALEXANDER
J ALEX LAW FIRM PC
13601 PRESTON RD
STE 600 W
DALLAS TX 75240
972-535-5700
josh@jalexlawfirm.com**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**

OFFICER'S RETURN

Case No. : DC-21-08727

Court No.101st District Court

Style: ALIHALJI JONES

vs.

STANLEY BRADFORD, et al

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ .M. Executed at _____,
within the County of _____ at _____ o'clock _____ .M. on the _____ day of _____,
20_____, by delivering to the within named _____

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____



101st JUDICIAL DISTRICT COURT
GEORGE L. ALLEN COURTS BUILDING
600 COMMERCE STREET
DALLAS, TEXAS 75202-4604

July 12, 2021

SERVICE ONE TRANSPORT, INC.
SERVING REGISTERED AGENT BUSINESS FILINGS INCORPORATED
2 NORTH JACKSON STREET STE 605
MONTGOMERY AL 36104

Cause No: DC-21-08727

ALIHALJI JONES
vs.
STANLEY BRADFORD, et al

ALL COUNSEL OF RECORD AND PRO SE PARTIES:

The above case is set for dismissal, pursuant to Rule 165A, Texas Rules of Civil Procedure and pursuant to the inherent power of the Court, on:

September 10, 2021 at 9:00 AM

If an answer has been filed, the case will not be dismissed. Your case will be removed from the dismissal docket and set for trial.

If service of process has been completed but no answer has been filed, you must file a Motion for Default Judgment on or prior to the date of the dismissal docket. Failure to do so will result in dismissal of this case for want of prosecution.

If service of process has not been completed and you wish to retain the case on the docket, you must email the court at 101court@dallascounty.org no later than 3:00 p.m. on the day before the dismissal docket, specifying (1) date petition was filed, (2) the steps taken to attempt to achieve service and (3) how much additional time is needed before filing a Motion for Substitution Service.

If your case is set on the Default Judgment docket, your case will not be dismissed. Your case will be reset on the dismissal docket.

If your case is set on the Motion for Substitute Service docket, your case will not be dismissed. However, if you receive a Notice a Deficiency, the Court expects that the deficiencies be addressed. Your case will be reset on the dismissal docket.

If your case has been settled and is on the Settlement Docket, you must provide the required documents or your case will be removed from the docket.

Sincerely,

A handwritten signature in black ink, appearing to read "Staci Wilkins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Presiding Judge
101st Judicial District Court

CC: JOSHUA W ALEXANDER; SERVICE ONE TRANSPORT, INC.; STANLEY BRADFORD



101st JUDICIAL DISTRICT COURT
GEORGE L. ALLEN COURTS BUILDING
600 COMMERCE STREET
DALLAS, TEXAS 75202-4604

July 12, 2021

JOSHUA W ALEXANDER
J ALEX LAW FIRM PC
13601 PRESTON RD
STE 600 W
DALLAS TX 75240

Cause No: DC-21-08727

ALIHALJI JONES
vs.
STANLEY BRADFORD, et al

ALL COUNSEL OF RECORD AND PRO SE PARTIES:

The above case is set for dismissal, pursuant to Rule 165A, Texas Rules of Civil Procedure and pursuant to the inherent power of the Court, on:

September 10, 2021 at 9:00 AM

If an answer has been filed, the case will not be dismissed. Your case will be removed from the dismissal docket and set for trial.

If service of process has been completed but no answer has been filed, you must file a Motion for Default Judgment on or prior to the date of the dismissal docket. Failure to do so will result in dismissal of this case for want of prosecution.

If service of process has not been completed and you wish to retain the case on the docket, you must email the court at 101court@dallascounty.org no later than 3:00 p.m. on the day before the dismissal docket, specifying (1) date petition was filed, (2) the steps taken to attempt to achieve service and (3) how much additional time is needed before filing a Motion for Substitution Service.

If your case is set on the Default Judgment docket, your case will not be dismissed. Your case will be reset on the dismissal docket.

If your case is set on the Motion for Substitute Service docket, your case will not be dismissed. However, if you receive a Notice a Deficiency, the Court expects that the deficiencies be addressed. Your case will be reset on the dismissal docket.

If your case has been settled and is on the Settlement Docket, you must provide the required documents or your case will be removed from the docket.

Sincerely,

A handwritten signature in black ink, appearing to read "Stevi Wilkins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Presiding Judge
101st Judicial District Court

CC: JOSHUA W ALEXANDER; SERVICE ONE TRANSPORT, INC.; STANLEY BRADFORD



101st JUDICIAL DISTRICT COURT
GEORGE L. ALLEN COURTS BUILDING
600 COMMERCE STREET
DALLAS, TEXAS 75202-4604

July 12, 2021

STANLEY BRADFORD
3317 BARBWOOD
MEMPHIS TN 38118

Cause No: DC-21-08727

ALIHALJI JONES
vs.
STANLEY BRADFORD, et al

ALL COUNSEL OF RECORD AND PRO SE PARTIES:

The above case is set for dismissal, pursuant to Rule 165A, Texas Rules of Civil Procedure and pursuant to the inherent power of the Court, on:

September 10, 2021 at 9:00 AM

If an answer has been filed, the case will not be dismissed. Your case will be removed from the dismissal docket and set for trial.

If service of process has been completed but no answer has been filed, you must file a Motion for Default Judgment on or prior to the date of the dismissal docket. Failure to do so will result in dismissal of this case for want of prosecution.

If service of process has not been completed and you wish to retain the case on the docket, you must email the court at 101court@dallascounty.org no later than 3:00 p.m. on the day before the dismissal docket, specifying (1) date petition was filed, (2) the steps taken to attempt to achieve service and (3) how much additional time is needed before filing a Motion for Substitution Service.

If your case is set on the Default Judgment docket, your case will not be dismissed. Your case will be reset on the dismissal docket.

If your case is set on the Motion for Substitute Service docket, your case will not be dismissed. However, if you receive a Notice a Deficiency, the Court expects that the deficiencies be addressed. Your case will be reset on the dismissal docket.

If your case has been settled and is on the Settlement Docket, you must provide the required documents or your case will be removed from the docket.

Sincerely,

A handwritten signature in black ink, appearing to read "Staci Wilkins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Presiding Judge
101st Judicial District Court

CC: JOSHUA W ALEXANDER; SERVICE ONE TRANSPORT, INC.; STANLEY BRADFORD

CAUSE NO.: DC-21-08727

ALIHALJI JONES,	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
v.	§	101 ST JUDICIAL DISTRICT
	§	
STANLEY BRADFORD and	§	
SERVICE ONE TRANSPORT, INC.,	§	
Defendants.	§	DALLAS COUNTY, TEXAS

**DEFENDANTS STANLEY BRADFORD AND SERVICE ONE TRANSPORT, INC.'S
ORIGINAL ANSWER**

COMES NOW DEFENDANTS STANLEY BRADFORD AND SERVICE ONE TRANSPORT, INC. ("Defendants") and files this Original Answer and would respectfully show the Court as follows:

I.

GENERAL DENIAL

Defendants deny all and singular, each and every allegation contained in Plaintiff's petition, and states that the same are not true in whole or in part, and demand strict proof thereof by a preponderance of the evidence.

II.

AFFIRMATIVE DEFENSES

Pleading further in the affirmative, pursuant to Rule 94 of the Texas Rules of Civil Procedure, Defendants allege the following affirmative defenses:

1. To the extent Plaintiff seeks recovery of lost wages, loss of earning capacity, loss of contributions of a pecuniary value, or loss of inheritance, this Defendants rely on Texas Civil Practice & Remedies Code §18.091(a) and (b) in requiring Plaintiff to prove the loss, if any, in

the form of a net loss after reduction for income tax payments or unpaid tax liability pursuant to any federal income tax law and that the Court instruct the jury as to whether the recovery, if any, for compensatory damages sought by Plaintiff is subject to federal or state income taxes.

2. Further, Defendants would show that the Plaintiff's recovery of medical or healthcare expenses is limited to the amount actually paid or incurred by or on behalf of the Plaintiff as mandated by the Texas Civil Practice & Remedies Code § 41.0105.

3. Defendants also submit that Plaintiff's own actions and negligence were a proximate cause of the accident, as well as all of his damages claimed in this lawsuit.

4. Pleading further, Defendants assert that any injuries and damages sustained by Plaintiff were proximately caused, in whole or in part, by the acts, omissions, or defects of Plaintiff and/or third parties, conditions, or tangible items over whom or which Defendants had no control and that those acts, omissions, or defects were the sole or proximate cause of the Plaintiff's alleged injuries and damages and/or were a new and independent cause of the injuries and damages sustained by Plaintiff, if any.

5. Pleading further in the affirmative, Defendants would submit that at the time and on the occasion in question, Defendant Bradford was confronted by an emergency which arose suddenly and unexpectedly, not proximately caused by any act of negligence on its part, which called for immediate action on the part of Defendant Bradford without time for deliberation; and after the sudden emergency arose, it acted reasonably and prudently as any, under the same or similar circumstances.

6. Pleading further in the affirmative, Defendants would also submit that the accident in question, and all of the damages complained of by the Plaintiff, were the result of an unavoidable accident or occurrence, and not reasonably foreseeable by Defendant Bradford.

7. Pleading further, and in the alternative, Defendants assert that Plaintiff's damages, if any, were caused by the act or omission of a separate and independent agency, not reasonably foreseeable, that destroyed the causal connection, if any, between any act or omission of Defendants and the circumstances of the accident made the basis of this suit and the resulting injuries and damages, if any, allegedly sustained by Plaintiff.

8. Pleading further, and in the alternative, Defendants would show that the Plaintiff's claims are barred in whole or in part due to Plaintiff's failure to mitigate any damages allegedly resulting from the occurrence in question. Defendants hereby assert that it is entitled to an offset and/or credit to the extent Plaintiff failed to mitigate damages.

9. Pleading further, and in the alternative, Defendants would show that Plaintiff's injuries, if any, were the result of prior, pre-existing and/or subsequent injuries, accidents or physical conditions, and said prior, pre-existing and/or subsequent injuries, accidents, or physical conditions, were the sole, independent, and/or contributing cause of the Plaintiff's alleged damages.

10. Pleading further, and in the alternative, Defendants assert that the Plaintiff's medical damages, if any, should be subject to the provisions of § 41.0105 *et. seq.* of the Texas Civil Practice and Remedies Code.

11. Pleading further, in the unlikely event that Defendants should be found liable for the injuries and damages claimed by the Plaintiff, it is entitled to contribution and/or indemnity from Plaintiff.

III.

JURY DEMAND

Defendants hereby request a trial by jury of all issues of fact in this case.

IV.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendants Stanley Bradford and Service One Transport, Inc. respectfully prays that Plaintiff take nothing from Defendants as a result of this action, or alternatively that Defendants have contribution and/or indemnity over and against Plaintiff; that Defendants recover their costs; and for all such other and further relief at law or in equity, both special and general, to which Defendants may be justly entitled to receive.

Respectfully submitted,

STACY | CONDER | ALLEN, LLP

/s/ T. Glenn Ingram

T. Glenn Ingram

State Bar No. 24007423

901 Main Street, Suite 6200

Dallas, Texas 75202

(214) 748-5000

(214) 748-1421 (Fax)

ingram@stacyconder.com

**ATTORNEYS FOR DEFENDANTS,
STANLEY BRADFORD and
SERVICE ONE TRANSPORT, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing answer has been served on counsel of record pursuant to the Texas Rules of Civil Procedure on **August 23, 2021**.

/s/ T. Glenn Ingram

T. Glenn Ingram

#667849

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 56559399

Status as of 8/24/2021 11:15 AM CST

Associated Case Party: ALIHALJI JONES

Name	BarNumber	Email	TimestampSubmitted	Status
Joshua Alexander	24086984	josh@jalexlawfirm.com	8/23/2021 2:22:35 PM	SENT

Associated Case Party: SERVICE ONE TRANSPORT, INC.

Name	BarNumber	Email	TimestampSubmitted	Status
T GlennIngram		ingram@stacyconder.com	8/23/2021 2:22:35 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Debbie Spencer		spencer@stacyconder.com	8/23/2021 2:22:35 PM	SENT
Roy LStacy		stacy@stacyconder.com	8/23/2021 2:22:35 PM	SENT

Associated Case Party: STANLEY BRADFORD

Name	BarNumber	Email	TimestampSubmitted	Status
T GlennIngram		ingram@stacyconder.com	8/23/2021 2:22:35 PM	SENT